Remarks/Arguments

Claim 10 has been amended to change its dependency. Claims 20 to 26 have been amended to define clearly the Applicant's invention. Claims 8 and 9 have been cancelled without prejudice or disclaimer. New claims 27 to 30 have been added to define further aspects of the Applicant's invention. Claims 1, 4 to 7 and 10 to 30 are pending in the application and are believed to distinguish patentably over the prior art.

In the Official Action, the Examiner has rejected claims 20 to 26 under 35 U.S.C. §112 alleging that these claims are indefinite for failing to recite active, positive steps. The Examiner has also rejected claims 20 to 26 under 35 U.S.C. §101 alleging that these claims define a use without setting forth steps involved in the process. Applicant respectfully submits that the Examiner's objections noted above are inappropriate and without merit.

Contrary to the Examiner's allegations, claims 20 to 26 do not define a method/process but rather a graphical user interface *per se*. In view of this, Applicant respectfully submits that the Examiner's commentary with respect to these claims failing to recite "steps" is misplaced. Notwithstanding this, Applicant has amended these claims to place them in a different form. Specifically, independent claim 20 has been amended to define a view application program executable by a computer including computer program code for causing the

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computer to display a window on a monitor of the computer and computer program code for causing the computer to display a user defined landscape within the window. The landscape is in the form of a graph presenting objects representing the different types of incoming communications. The graph includes first, second and third generally orthogonal axes, a first axis denoting different types of incoming communications, a second axis denoting numbers of incoming communications and a third axis denoting categories of incoming communications within the different types.

The preambles of dependent claims 21 to 26 have been amended to bring them in line with the preamble of independent claim 20. In view of the above, Applicant respectfully submits that claims 20 to 26 clearly define the Applicant's invention and thus, respectfully requests that the Examiner's objections to claims 20 to 26 under 35 U.S.C. §112 and 35 U.S.C. §101 be removed.

With respect to prior art, the Examiner has rejected claims 1, 8, 15, 16 and 20 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,115,693 to McDonough et al. ("McDonough") in view of U.S. Patent No. 5,623,540 to Morrison et al. ("Morrison"). The Examiner is alleging that the Applicant's invention as defined by these claims would be obvious to one of ordinary skill in the art in view of the combined teachings of these references.

Claims 4 to 6, 14 and 17 have been rejected by the Examiner under 35 U.S.C. §103(a) as being unpatentable over McDonough and Morrison in view of U.S. Patent No. 6,466,663 to Ravenscroft et al. ("Ravenscroft"). The Examiner is alleging that the Applicant's invention as defined by these claims would be obvious to one of ordinary skill in the art in view of the combined teachings of these references.

Applicant respectfully submits that the Examiner's objections to the claims in view of the cited references are inappropriate for the reasons set forth below.

According to one aspect of the Applicant's invention as defined by independent claim 1, Applicant provides a communications system comprising a network and a plurality of applications connected to the network. Each of the applications handles a different type of communication and stores information concerning incoming communications directed to users of the communications system. At least one computer is connected to the network and receives incoming communications information from selected applications. The at least one computer includes a display and a processor executing a view application. The view application processes the incoming communications information and generates a three-dimensional representation thereof for presentation on the display. The three-dimensional representation is a graphical representation including first, second and third generally orthogonal axes. The first axis denotes different types of incoming

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communications, the second axis denotes numbers of incoming communications and the third axis denotes categories of incoming communications within the different types of incoming communications. Objects representing different types and categories of incoming communications appear on the graphical representation. By providing a view application that displays incoming communications in such a graphical manner, a user is able to determine at a glance (i.e. quickly and effectively) how many of each different type of incoming communication the user has received.

In contrast, McDonough discloses a Quality Center for a Visual Sales and Service Center. The Quality Center is responsible for monitoring the "customer experience" across a telephone customer access resource. The Quality Center assists in managing the business of operating multiple call centers as a single Virtual Sales and Service Center and presents the business in a professional, informative and impressive manner. A forecasting system predicts contact volume for a plurality of physical locations forming the Virtual Sales and Service Center. A monitor monitors contact traffic for the Virtual Sales and Service Center.. A controller controls network routing based upon the call volume predictions and the contact traffic monitoring. A processor provides an interface between the forecasting system, the monitor and the controller and services requests and responses therebetween. A reporting system accesses statistics and generates

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management reports regarding the operation of the Virtual Sales and Service Center. A messaging system provides messaging between the physical locations. A trouble-shooting system analyzes and solves problems occurring in the Virtual Sales and Service Center.

At coloumn 11, line 18, the Information Delivery Architecture (IDA) of the Quality Center that enables the gathering and reporting of performance data is described. As described and shown in Figure 7, the IDA provides a display board 766 that presents call center information.

The Examiner references Figure 1 and the passage of McDonough beginning at column 5, line 58 and ending at column 6, line 37 to allege that McDonough discloses a view application that processes incoming communications information and generates a three-dimensional representation thereof for presentation on the display, with the three-dimensional representation being a graphical representation including first, second and third generally orthogonal axes, the first axis denoting different types of incoming communications, the second axis denoting numbers of incoming communications and the third axis denoting categories of incoming communications within the different types of incoming communications. Applicant respectfully submits that the Examiner has misinterpreted McDonough.

Figure 1 of McDonough is **NOT** a three dimensional representation for presentation on a display. Rather, Figure 1 of McDonough shows a three

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dimensional representation of Virtual Sales and Service Center **access logistics** to illustrate that the logistics associated with effectively matching customer contacts is particularly challenging (see column 5, lines 61 and 62 and column 6, lines 26 to 29). The information shown in Figure 1 is not displayed by McDonough in any manner. It is simply a visual reference to show the relationships between access methods of a customer, initiate contacts and access resources.

Applicant wishes to remind the Examiner that "it is impermissible within the framework of Section 103 to pick and choose from any one reference only so much of it as will support a given position, to the exclusion of other parts necessary to the full appreciation of what such reference fairly suggests to one of ordinary skill in the art". In Re Wesslau 353 F. 2d 238,147 U.S. PQ 391 (CCPA 1965). In alleging that McDonough discloses a view application that processes incoming communications information and generates a three-dimensional representation thereof for presentation on a display, based on Figure 1 of this reference, the Examiner is clearly disregarding the teachings of McDonough as a whole to support his position.

Morrison discloses a PBX data retrieval and reporting system and method for scheduling data collection sessions between a collection computer and one or more computerized branch exchanges (CBXs). Telephone statistics data is collected from the CBXs and is stored in a database. A report generation system selectively

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retrieves stored data and formats the data into reports. Figure 13 shows a generated report and Figures 14 to 18 show screen layouts that allow a user to edit a report.

The Examiner alleges that Morrison discloses a three dimensional representation of incoming call records making specific reference to Figure 12, item 1217 and column 21, lines 24 to 38 of this reference. Item 1217 in Figure 12 of Morrison is **NOT** a three dimensional representation for presentation on a display. Rather, item 1217 is a cache (i.e. memory) having a three dimensional structure that is loaded with retrieved data (see column 21, lines 24 to 26). Data stored in the cache is pulled one data item at a time by a walk-through function and placed into a row of a report (see column 21, lines 39 to 45). The reports generated by Morrison, as exemplified in Figures 13 to 18, are **two dimensional**. To allege otherwise is clearly contrary to the teachings of Morrison.

Ravenscroft discloses a monitoring system for monitoring calling activity within a call center including a client program that may be run on a workstation. The client program displays a graphical user interface that contains status information about agents in the call center and statistics regarding activity within the call center. Although the graphical user interface presents a three dimensional graph, the graph illustrates the percentage of agents that are on call, unavailable, available etc. Ravenscroft does not teach or suggest nor is concerned with providing a three dimensional representation of incoming communications for

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presentation on a display, with the three dimensional representation being a graphical representation including first, second and third generally orthogonal axes, the first axis denoting different types of incoming communications, the second axis denoting numbers of incoming communications and the third axis denoting categories of incoming communications within the different types of incoming communications.

Accordingly, Applicant respectfully submits that none of the cited references, either alone or in combination, teaches or suggests the Applicant's invention as claimed. In view of the above, Applicant respectfully submits that the Examiner's objection to independent claim 1 in view of the cited prior art references should be removed. Since claims 4 to 7 and 14 are dependent either directly or indirectly on independent claim 1, which is deemed allowable, Applicant respectfully submits that these claims should also be allowed.

Independent claims 15, 16 and 20 recite subject matter similar to that recited in independent claim 1 and are believed to distinguish patentably over the cited prior art for the same reasons set forth above. Since claims 17 to 19 are dependent either directly or indirectly on independent claim 16, which is deemed allowable, Applicant respectfully submits that these claims should also be allowed. Since claims 21 to 26 are dependent either directly or indirectly on independent claim 20,

which is deemed allowable, Applicant respectfully submits that these claims should also be allowed.

New independent claim 27 has been added and incorporates the subject matter of independent claim 1 and allowable subject matter from claim 7. Accordingly, Applicant respectfully submits that this claim should be allowed. New independent claim 28 has been added and incorporates the subject matter of independent claim 1 and claims 8 and 9. Accordingly, Applicant respectfully submits that this claim should be allowed. Since claims 10 to 13 are dependent either directly or indirectly on independent claim 28, which is deemed allowable, Applicant respectfully submits that these claims should also be allowed. New independent claim 29 has been added and incorporates the subject matter of independent claim 1 and allowable subject matter from claim 18. Accordingly, Applicant respectfully submits that this claim should be allowed. Since claim 30 is dependent directly on independent claim 29, which is deemed allowable, Applicant respectfully submits that this claim should also be allowed.
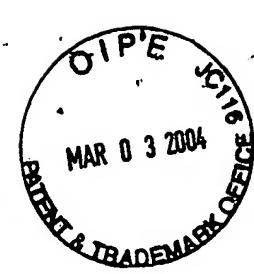
In view of the above, it is believed the application is in order for allowance and action to that end is respectfully requested.

Respectfully submitted,
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Dated: _____3|01|04_____

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